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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,291	10/27/2003	Antti Heikkinen	FORSAL-83	2758
36528	7590	04/01/2004	EXAMINER	
STIENNON & STIENNON 612 W. MAIN ST., SUITE 201 P.O. BOX 1667 MADISON, WI 53701-1667			SELF, SHELLEY M	
			ART UNIT	PAPER NUMBER
			3725	

DATE MAILED: 04/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/694,291	Applicant(s) HEIKKINEN ET AL.	
	Examiner Shelley Self	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/27/03</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3725

DETAILED ACTION

Response to Amendment

The preliminary amendment filed on February 17, 2004 has been received and carefully considered and an action on the merits follows.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5, 7 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim is functionally indefinite in that it fails to recite the necessary structure to accomplish the functional recitation, "*after the intermediate moistening means the fibrous web is of higher moisture on the second side*".

With regard to claims, 7 and 8, it is unclear what is meant by, "...has means for the relieving roll loads..." Correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fletcher (2,291,616) in view of Taylor (5,163,365). With regard to claims 1 and 4-6, Fletcher discloses a multi roll calender (fig. 1) and web (10) having a first and second side and traversing the calender, the multi-roll calender having several sets of rolls (13, 20, 27), a moistening means (35, 36, 37) the fibrous web extends past an intermediate moistening means (38) after a first set of rolls (13), the web has a moisture content lower immediately after the first set of rolls; after the first set of rolls and the intermediate moistening means (38), the web has a moisture content which is higher than the moisture content of the web immediately before the intermediate moistening means. Fletcher does not disclose the pre-moistening means immediately preceding the first set of rolls or the calender comprising rigid and resilient-shell backing rolls. Taylor teaches in a similar art, the use of rigid and resilient rolls (hard and soft) in conjunction with a plurality of moistening means (22, 28) to increase the moisture content of a web so as to control the desired finish of the web/sheet. Because the references are from a similar art and deal with a similar problem (i.e. web/sheet finish) it would have been obvious at the time of the invention to one having ordinary skill in the art to replace, Fletcher's rigid rolls with alternating rigid and resilient (soft) rolls as taught by Taylor so as to produce a completed web with a high quality finish.

As to the positioning of the pre-moistening means immediately proceeding the first set of rolls, it would have been obvious at the time of the invention to one having ordinary skill in the art to place the pre-moistening means (35) of Fletcher immediately proceeding the first set of rolls, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

Art Unit: 3725

With regard to claim 2, Fletcher does not disclose the moisture content at locations along the multi-roll calender apparatus. It would have been obvious to one having ordinary skill in the art at the time of the invention to having a pre-moistening level of 3-10%, a dried level of 1-6%, an intermediate level of 6-14% and a final dried level of 4.5-7.55, since it has been held that where general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art.

With regard to claim 3, Fletcher discloses a drying means (11, 12).

Claims 7 and 8, as best as can be understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Fletcher (2,291,616) in view of Taylor (5,163,365) as applied to claims 1 and 6 above, and further in view of Veneman et al. (3,270,664). Fletcher does not disclose relieving loads. Veneman teaches in a similar device the use of a load relieving devices so as to compensate for loads on the roll so of the multi-roll calendar. Because the references are from a similar art, it would have been obvious at the time of the invention to one having ordinary skill in the art to provide Fletcher with a load relieving/adjusting device as taught by Veneman so as to compensate and/or equalize load/pressure on the rolls of the multi-roll calender.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelley Self whose telephone number is (703) 305-5299. The examiner can normally be reached Mon-Fri from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Allen Ostrager can be

Application/Control Number: 10/694,291

Page 5

Art Unit: 3725

reached at (703) 308-3136. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

SSelf

March 26, 2004



ALLEN OSTRAGER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700